

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1486 – SB 1353

March 8, 2023

SUMMARY OF BILL: Prohibits a business entity or its agents, employees, or contractors from retaining a copy, in an electronic or other format, of a person's identification unless the retention of that copy is specifically required by federal or state law, or the business entity obtains the express consent of the holder of that identification.

Prohibits a business entity or its agents, employees, or contractors from refusing to transact business with a person solely on the basis that the person refuses to provide express consent to the business entity retaining the copy. Provides exceptions.

Establishes a violation of such is an unfair and deceptive act or practice under the *Consumer Protection Act of 1977*. Authorizes a consumer to bring a civil action upon such violation.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Any increase in the number of complaints handled by the Attorney General is estimated to be not significant and can be handled by existing staff during normal work hours.
- Committing an unfair or deceptive practice under the *Consumer Protection Act of 1977* is a Class B misdemeanor offense.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- Any impact to commerce or jobs in Tennessee is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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